

## CAPITAL GAINS TAX RETURN (For Onerous Transfer of Real Property Classified as Capital Asset – both Taxable and Exempt)

### CHECKLIST OF DOCUMENTARY REQUIREMENTS

Important:

1. Processing of transactions commence only upon submission of COMPLETE DOCUMENTS.
2. Mark “✓” for submitted documents and “X” for lacking documents.

#### Mandatory

- TIN of Seller/s and Buyer/s
- Notarized Deed of Absolute Sale/ Deed of Transfer but only photocopied documents shall be retained by BIR.
- Certified True Copy/ies of the Tax Declaration at the time or nearest to the date of the transaction issued by the Local Assessor’s Office for land and improvement
- Certified True Copy/ies of Original/Transfer/Condominium Certificate/s of Title (OCT/TCT/CCT)
- Duly notarized Special Power of Attorney (SPA) from the transacting party/ies if the person signing is not one of the parties to the Deed of Transfer
- Sworn Declaration of No Improvement by at least one (1) of the transferees or Certificate of No Improvement issued by the Assessor’s Office, if applicable
- Official Receipt/Deposit Slip and duly validated return as proofs of payment of taxes
- Secretary’s Certificate or Board Resolution, approving the sale/transfer of the real property and indicating the name and position of the authorized signatory to the Deed of Sale/Assignment, if the seller/transferor is a corporation

#### Other Additional Requirements, if applicable:

- Special Power of Attorney (SPA), if the person transacting/processing the transfer is not a party to the transaction
- Certification from the Philippine Consulate if document is executed abroad
- Location Plan/Vicinity map if zonal value cannot be readily determined from the documents submitted
- Certificate of Exemption/BIR Ruling issued by the Commissioner of Internal Revenue or his authorized representative, if tax exempt
- Such other documents as may be required by law/rulings/regulations/etc.

#### For Antedated Sales

- Certified True Copy of Deed of Sale / Assignment / Exchange issued by the Clerk of Court of City/Municipality or Regional Trial Court (RTC) or the Office of the Executive Judge of the City/Municipality where the Notary Public is registered or certification of notarization from the National Archives Office

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Taxpayer

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

#### Acknowledgement of applicant:

I \_\_\_\_\_, of legal age, hereby acknowledge the identified lacking documentary requirement/s (marked with “X”) which I commit to submit within five (5) working days. I understand that my application will only be processed upon submission of complete document/s.

\_\_\_\_\_ Date: \_\_\_\_\_

Name of Taxpayer/Representative

(Signature over printed name)

**NOTE: The BIR shall dispose all pending applications with incomplete requirements after thirty (30) calendar days from receipt of application.**